IN THE CLAIMS: See Listing of Claims. This listing will replace all prior versions of claims in the application.

REMARKS

It is the position of the Office that the application pertains to a plurality of patentably distinct inventions and that Restriction **Groups I-II** lack unity of invention do not relate to a single inventive concept because there is no common special technical feature between the two Restriction Groups which defines a contribution over the prior art. The Office cites US Patent No. 3,890,442, which discloses oral administration of microencapsulated 1,2,4-triazole antimycotic compositions in tablet, powder, or gelatin sheath forms, to support its position that microcapsule compositions have been previously disclosed, and that, therefore, Restriction **Groups I-II** do not relate to a single inventive concept.

With the instant Amendment, method Claim 33 has been cancelled and method Claim 37 has been amended to limit the microcapsule composition to the microcapsule composition of Claim 17. Thus, the Applicants respectfully submit that the microcapsule composition comprising a perindopril active ingredient is the special technical feature which defines a contribution over the prior art, the subject matter of which the Office has not identified in the art. Based on this common technical feature, the Applicants respectfully submit that unity of invention exists. Thus, the Applicants ***traverse*** the Office conclusion that the application pertains to a plurality of patentably distinct inventions. Absent contradictory evidence that those skilled in the art would find the instant invention to consist of multiple inventions, it is submitted that the Office Requirement is not substantiated.

Nonetheless, in an effort to advance the prosecution of the instant application, and in the absence of success in traversing the Restriction Requirement, the Applicants elect ***with traverse*** to prosecute the invention of **Group I**, (Claims 17-32 and 34), drawn to microcapsule compositions, of the Restriction Requirement. The Applicants also designate the species perindopril tert-butylamine salt in Response to the Office request for an election of species of perindopril active agent.

Moreover, the Applicants respectfully submit that pharmaceutical composition Claims 35 and 36 are directed to substances, and, as such, should be included in **Group I**. Thus, the Applicants respectfully request that pharmaceutical composition Claims 35 and 36 be included with the substance claims of **Group I** for further prosecution.

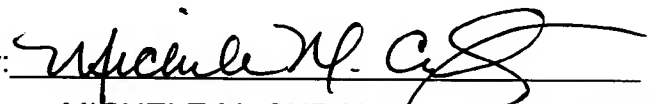
In accordance with PCT Rule 13.2, the Applicants also respectfully request that the Examiner include at least one method of treatment claim from **Group II** for simultaneous prosecution with the substance claims of **Group I**. The Applicants hereby designate the claim to treatment of *arterial hypertension* for such examination.

Absent a favorable decision upon reconsideration of the Restriction Requirement, the Examiner may withdraw the non-elected subject matter, without prejudice to its rejoinder during later examination and/or prosecution in a Divisional Application.

Accordingly, entry of the present Election and Amendment into the record of this application and favorable action on the merits thereof, are respectfully solicited.

Respectfully submitted,

THE FIRM OF HUESCHEN AND SAGE

By: 

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Enclosure: Listing of Claims and Postal Card Receipt

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THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY FURTHER OR ADDITIONAL FEES WHICH MAY BE REQUIRED (DUE TO OMISSION, DEFICIENCY, OR OTHERWISE), OR TO CREDIT ANY OVERPAYMENT, TO DEPOSIT ACCOUNT NO. 08,3220.